



Memorandum

**TO: RULES & OPEN GOVERNMENT
COMMITTEE**

FROM: Tom Manheim

SUBJECT: SEE BELOW

DATE: September 21, 2007

Approved

9/25/07

**RE: MEETING SCHEDULE FOR REVIEWING REMAINING PROVISIONS OF
SUNSHINE REFORM TASK FORCE PHASE I REPORT**

RECOMMENDATION

Continue discussion on the remaining provisions of the Sunshine Reform Task Force's (SRTF) Phase I recommendations as agreed to at the June 27, 2007 Rules and Open Government Committee meeting addressing the remaining topics in the meeting schedule proposed below.

OUTCOME

To provide the Rules and Open Government Committee an opportunity to discuss and make recommendations on the outstanding provisions of the SRTF's Phase I recommendations including the Public Meetings and remaining Closed Session recommendations, and to report recommendations to the City Council in November 2007, regarding their adoption and implementation. The specific intended outcomes are as follows:

- Finalize the list of entities and definitions of each category of entity (Policy Body, Ancillary Body or Non-governmental Body) covered by the Sunshine Ordinance.
- Discuss the questions and concerns raised by City staff and the City's Boards, Commissions, and non-governmental partners.
- Provide recommendations to the City Council on Section 2 (Public Meetings) and Section 3 (Closed Session) for bodies other than the City Council and the Board of the Redevelopment Agency.

BACKGROUND

On June 27, 2007, the Rules and Open Government Committee took two actions: 1) approved and forwarded to the City Council with amendments, the Closed Session provisions for Council and the Board of the Redevelopment Agency (RDA) only, and the Public Information provisions, and, 2) deferred approval of the Public Meetings Provision, and the Closed Session provisions for bodies other than the Council and RDA, to allow staff the opportunity to solicit feedback from the

Rules & Open Government Committee

Meeting Schedule for Discussion of Remaining Provisions of SRTF Phase 1 Recommendations

September 21, 2007

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potentially affected entities and to report back to the Rules Committee. Staff was also directed to work with the SRTF to see if there was agreement on the list of bodies (Policy, Ancillary and Non-governmental) covered by the proposed Sunshine Ordinance and to report back with a revised list of the entities that the SRTF and staff found agreement with and areas of disagreement. On August 21, 2007, the City Council approved the Rules and Open Government Committee's recommendations on Closed Session (Council and RDA only) and Public Information and directed staff to proceed with implementation on a pilot basis.

With regards to the remaining Phase I Sunshine provisions, staff conducted two outreach sessions specifically targeted for Policy, Ancillary, and Non-Governmental bodies identified in the Phase I Report, as well as those additional bodies that conduct closed session. Written comments were requested by September 14, 2007. Staff received input from 30 entities. The City's quasi-judicial bodies, those that have the authority to decide administrative matters, raised the most significant concerns.

The Rules and Open Government Committee previously agreed to discuss the SRTF's Phase I recommendations over the course of several meetings. Therefore, staff has provided a work plan that outlines the timeframe for considering the remaining provisions. Staff proposes the following schedule for the Rules and Open Government throughout October 2007:

Meeting Date	Topic	Time
Oct. 3, 2007	Review and Approve Work Plan & Meeting Schedule	Not before 3:00
Oct.10, 2007	Public Meeting Provisions – Bodies Covered by Ordinance <ul style="list-style-type: none">▪ Review list of entities covered by the Sunshine Ordinance (Policy, Ancillary, Non-governmental)▪ Discuss areas of agreement & disagreement and provide recommended direction on list of bodies and definitions.	Not before 3:00
Oct. 17, 2007	Public Meeting Provisions) <ul style="list-style-type: none">▪ Review Sections 2.1 - 2.11▪ Discuss staff's preliminary concerns and input received from policy, ancillary and non-governmental bodies, and provide feedback on SRTF's recommendations	Not before 3:00
Oct. 24, 2007	Closed Session Provisions (Bodies Other than Council/RDA) <ul style="list-style-type: none">▪ Review closed session provisions approved by Council on August 21, 2007▪ Discuss staff's preliminary concerns and input received from bodies that conduct closed session (other than Council and the Board of the RDA), and provide feedback on SRTF's recommendations	Not before 3:00

EVALUATION AND FOLLOW-UP

Not applicable

POLICY ALTERNATIVES

Staff has recommended a schedule to the Rules and Open Government Committee that discusses the remaining SRTF Phase I recommendations over the course of four meetings throughout October 2007. The Committee could also schedule a ½ day study session to review all the remaining provisions and provide feedback to staff.

PUBLIC OUTREACH/INTEREST

- ☐ **Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- ☐ **Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- ☐ **Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Staff conducted two outreach sessions specifically targeted for Policy, Ancillary, and Non-Governmental bodies identified in the Phase I Report, as well as those additional bodies that conduct closed session. The sessions were held on:

Tuesday, July 31, 2007, 1:30pm – 4:00 pm, Council Chambers
Monday, August 6, 2007, 6:00pm – 8:00 pm, Council Chambers

The purpose of the sessions was to inform the affected bodies and staff on the public and closed session recommendations, to answer any questions, and to solicit input on potential barriers to implementation.

COORDINATION

The preparation of this staff report has been coordinated among the City Attorney's Office, City Clerk's Office, Redevelopment Agency and City Manager's Office.

FISCAL/POLICY ALIGNMENT

Not applicable.

COST SUMMARY/IMPLICATIONS

Not applicable.

CEQA

Not a project.

*Sheila Tucker
cc Tom Manheim*

TOM MANHEIM
Director of Communications

For questions please contact Sheila Tucker, Senior Executive Analyst, at 408-535-8115.